

been prescribed by regulations, and its label failed to bear the name of the food specified in such definition and standard.

DISPOSITION: July 18, 1950. Default decree of condemnation and destruction.

FEEDS AND GRAINS

16524. Adulteration and misbranding of Simmons Pail-O-Melk. U. S. v. 40 Drums * * *. (F. D. C. No. 29330. Sample No. 72744-K.)

LIBEL FILED: May 19, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about April 26, 1950, by Stock-Gro, Inc., from Mayville, Wis.

PRODUCT: 40 25-pound drums of Simmons Pail-O-Melk at Coshocton, Ohio.

LABEL, IN PART: (Drum) "Simmons Pail-O-Melk For Calves Analysis Per Pound (minimum) * * * Protein ---- 25% Fat ---- 2% * * * Ingredients: Non-Fat Dried Milk Solids, Alfalfa Leaf Meal, Ground Rolled Oats, Soy Bean Meal, Wheat Germ, Vitamin A Feeding Oil, Mixed Minerals."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, namely, protein, fat, alfalfa leaf meal, rolled oats, soybean meal, wheat germ, and mixed minerals, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statements "Analysis Per Pound: (Minimum) * * * Protein ---- 25% Fat ---- 2% * * * Ingredients: * * * Alfalfa Leaf Meal, Ground Rolled Oats, Soy Bean Meal, Wheat Germ * * * Mixed Minerals * * *" were false and misleading since the article contained less than the declared amounts of protein and fat and no detectable amounts of alfalfa leaf meal, ground rolled oats, soybean meal, wheat germ, and mixed minerals; and, Section 403 (i) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since the presence of yellow corn meal was not declared.

DISPOSITION: July 24, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as stock feed.

16525. Misbranding of stock feed. U. S. v. 371 Unlabeled Bags * * *. (F. D. C. No. 29481. Sample No. 72503-K.)

LIBEL FILED: July 8, 1950, Southern District of Indiana.

ALLEGED SHIPMENT: On or about May 27, 1950, by the Lexington Feed Mills, from Bowling Green, Ky.

PRODUCT: 371 bags, containing approximately 37,600 pounds, of stock feed at Perrysville, Ind. Examination showed that the article was a powder consisting essentially of bean seed, cocoa shell, limestone, rye, soybean, oats, corn, cottonseed, sugar, salt, alfalfa, and wheat.

NATURE OF CHARGE: Misbranding, Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: September 7, 1950. Default decree of forfeiture and destruction.